



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,875	02/05/2002	Timothy R. Kane	END920020006US1	6282
23550	7590	05/10/2005	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC 3 E-COMM SQUARE ALBANY, NY 12207			LIN, KENNY S	
			ART UNIT	PAPER NUMBER

2154

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,875

Applicant(s)

KANE ET AL

Examiner

Kenny Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/5/2002
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 are presented for examination.
2. The IDS filed on 2/5/2002 is considered by the examiner.

Claim Objections

3. Claims 8-9 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 8 is depending on claim 9 and claim 9 is depending on claim 8 where neither claims are independent claims.
4. NOTE: For the purpose of examination, claim 8 will be examined as a dependent claim of claim 7, and claim 9 depending on claim 8.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2154

6. Claims 1, 3, 10, 12, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Endo, US 2004/0212841, filed on April 30, 2004 with a priority date to a divisional application filed on October 26, 1998.

7. As per claim 1, Endo taught the claimed invention including a method for routing data by a server, comprising the step of:

- a. Providing an application on the server (pp. 0048-0049, system or program is loaded from the HD drive, OS program, document-transmission control program);
- b. Providing a table of formats and protocols on the server, wherein the table is accessible by the application (pp. 0049, 0052-0053, 0055-0056, 100-105, default data-transmission-format information base and various transmission protocols, destination list);
- c. Receiving data having a destination and a transaction type, from a source, on the server (pp. 0055-0056, 0060-0065, fig.3; document input unit; data are collected in accordance with data transmission format based classification and communication-method based classification);
- d. Retrieving, from the table, a format for transforming the data and a protocol for communicating the data based on the destination, the transaction type and the source (pp. 0055-0056, 0058-0059, 0061, 100-105); and
- e. The application transforming the data into the retrieved format, and routing the transformed data to the destination using the retrieved communication protocol (pp. 0055-0056, 0065-0066, 0068-0069, 0096-0097).

8. As per claims 10 and 16, Endo taught the claimed invention including a system and its program product for routing data by a server, comprising:

- a. A table system for providing a table having formats and protocols (pp. 0048-0049, 0052-0053, 0055-0056, default data-transmission-format information base and various transmission protocols, destination list);
- b. A data reception system for receiving data from a source, the data having a destination and a transaction type (pp. 0055-0056, 0060-0065, fig.3; document input unit; data are collected in accordance with data transmission format based classification and communication-method based classification);
- c. A retrieval system for retrieving a format for transforming the data and a protocol for communicating the protocol from the table based upon the source, the destination and the transaction type (pp. 0055-0056, 0058-0059, 0061, 100-105);
- d. A transformation system for transforming the data into the retrieved format (pp. 0055-0056, 0065-0066); and
- e. A routing system for routing the transformed data to the destination using the retrieved protocol (pp. 0055-0056, 0068-0069, 0096-0097).

9. As per claims 3, 12 and 18, Endo taught the invention as claimed in claims 1, 10 and 16. Endo further taught to comprise the step of identifying the source, prior to the retrieving step (pp. 0065; designate the document input source).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 4, 7, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Olejar et al (Olejar), US 2003/0037100.

12. As per claim 7, Endo taught the invention substantially as claimed including a method for routing data by a server, comprising the steps of:

- a. Providing a communication application on the server (pp. 0048-0049, system or program is loaded from the HD drive, document-transmission control program);
- b. Entering a table of formats, protocols, sources, destinations and transaction types on the server, wherein the table is accessible by the application (pp. 0049, 0052-0053, 0055-0056, default data-transmission-format information base and various transmission protocols, destination list);
- c. Receiving data having a destination and a transaction type, from an identified source, on the server (pp. 0055-0056, 0060-0065, fig.3; document input unit; data are collected in accordance with data transmission format based classification and communication-method based classification);

- d. Retrieving from the table a format for transforming the data and a protocol for communicating the data, based on the destination, the transaction type and the source (pp. 0055-0056, 0058-0059, 0061, 100-105); and
- e. The application transforming the data into the retrieved format, and routing the transformed data from the server to the destination using the retrieved communication protocol (pp. 0055-0056, 0065-0066, 0068-0069, 0096-0097).

13. Endo did not specifically teach to detect errors in the data based upon omissions in the data. Olejar taught to detect errors in retrieved data based upon omissions in the data (claim 4; intelligent detection means). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Olejar because Olejar's teaching of detecting errors enable Endo's method to detect incomplete or inaccurate data received and automatically retrieve data to correct the problem (see Olejar, claim 4).

14. As per claims 4, 13 and 19, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo did not specifically teach the step of the application detecting errors in the retrieved data based upon omissions in the data. Olejar taught an application to detect errors in retrieved data based upon omissions in the data (claim 4; intelligent detection means). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Olejar because Olejar's teaching of detecting errors enable Endo's method to detect incomplete or inaccurate data received and automatically retrieve data to correct the problem (see Olejar, claim 4).

15. Claim 2, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Deng, US 6,243,394.

16. As per claims 2, 11 and 17, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo further taught that the provided table further includes sources, destinations and transaction type (figs.5-7; pp. 0055). Endo further taught to designate a document input source (pp. 0065). Endo did not specifically teach to include sources in the table. Deng taught to include sources in the table (col.5, lines 34-38, col.8, lines 44-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Endo and Deng and include sources to the table to inform the data receiver where the data is from.

17. Claim 5, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Lakshman et al (Lakshman), US 6,078,564.

18. As per claims 5, 14 and 20, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo did not specifically teach the step of tracking data communication between the source and the destination. Lakshman taught to track data communication between the source and the destination (col.4, lines 64-67, col.5, lines 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of

Art Unit: 2154

Endo and Lakshman because Lakshman's teaching of tracking communication enables Endo's method to monitor the transmission of the data transmitted in the communication path.

19. Claim 6, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Harris, Jr. et al (Harris), US 6,144,975.

20. As per claims 6, 15 and 21, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo did not specifically teach further the step of generating a report based upon data communications and detected errors. Harris taught to generate a report based upon data communication and detected errors destination (col.1, lines 35-36, col.8, lines 54-67, col.9, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Harris because Harris' teaching of reporting enable Endo's method to present the users or the administer a documentary of the errors.

21. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo and Olejar as applied to claim 7 above, and further in view of Lakshman et al (Lakshman), US 6,078,564.

22. As per claim 8, Endo and Olejar taught the invention substantially as claimed in claim 7. Endo and Olejar did not specifically teach the step of tracking data communication between the source and the destination. Lakshman taught to track data communication between the source and the destination (col.4, lines 64-67, col.5, lines 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo,

Art Unit: 2154

Olejar and Lakshman because Lakshman's teaching of tracking communication enables Endo and Olejar's method to monitor the transmission of the data transmitted in the communication path.

23. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, Olejar and Lakshman as applied to claim 8 above, and further in view of Harris, Jr. et al (Harris), US 6,144,975.

24. As per claim 9, Endo, Olejar and Lakshman taught the invention substantially as claimed in claim 8. Endo, Olejar and Lakshman did not specifically teach further the step of generating a report based upon data communications and detected errors. Harris taught to generate a report based upon data communication and detected errors destination (col.1, lines 35-36, col.8, lines 54-67, col.9, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo, Olejar, Lakshman and Harris because Harris, Olejar and Lakshman's teaching of reporting enable Endo's method to present the users or the administer a documentary of the errors.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hard et al, US 6,253,071.

Peterson, US 2005/0002399.

Endo, US 6,801,340.

Medina, US 6,407,828.

Wright et al, US 2002/0016910.

Chuang et al, US 5,374,999.

26. A shortened statutory period for reply to this Office action is set to expire **THREE MONTHS** from the mailing date of this action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7/6/05
5/3/05

Application/Control Number: 10/067,875

Page 11

Art Unit: 2154

ksl

May 3, 2005

N. E. Haebly